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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92044988
Party	Plaintiff The Cad Store
Correspondence Address	Brian R Gibbons 3936 S Semoran Blvd Ste 330 Orlando, FL 32822-4016
Submission	Motion for Default Judgment
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Date	03/13/2006
Attachments	cadstore.03.pdf (3 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE CAD STORE,
an Arizona corporation,
Petitioner

v.

CONTEX A/S,
a Danish corporation,
Registrant

In the matter of
Registration No. 1,658,077

For the mark:
CADSTOR

Registered on the Principal Register
On September 24, 1991

Cancellation No. 92044988

PETITION TO CANCEL

MOTION FOR DEFAULT JUDGMENT

Petitioner, The Cad Store, by and through its undersigned attorney, hereby moves that Board enter default judgment in its favor and against Registrant in the above-captioned proceeding, pursuant to 37 CFR 2.114(a), and FRCP 55(a) and 55(b). This motion is supported by the attached Brief in Support of Motion for Default Judgment.

BRIEF IN SUPPORT OF MOTION

The Petitioner in this cancellation proceeding, The Cad Store, filed a Petition for Cancellation against Registration No. 1,658,077 on October 5, 2005. The Petition was mailed to Registrant, and this cancellation proceeding initiated, on October 6, 2005. After the TTAB's serving of the petition for cancellation, Registrant was given forty days to file an Answer to this Petition, pursuant to the Trademark Rules of Practice, which deadline fell on December 26, 2005..

BRIAN R. GIBBONS, P.A.
Attorney at Law

Cancellation No. 92044988
March 13, 2006
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As of March 13, 2006, over two months past the deadline, Registrant has filed no Answer, nor motions, nor any other responsive documents, nor indeed, any documents at all.

Pursuant to 37 CFR 2.114(a), if no answer is filed in response to a cancellation petition, the petition may be decided by default. No answer having been filed in response to the petition, Petitioner therefore requests that the petition be treated as conceded and decided by default, in accordance with TBMP 508.

Respectfully submitted,



Brian R. Gibbons
Attorney for Petitioner

3/13/06

Date

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document is being deposited with the United States Postal Service, postage prepaid, in an envelope addressed to D. Bruce Prout, Christie, Parker & Hale, LLP, P.O. Box 7068, Pasadena, CA 91109-7068, this 13th day of March, 2006.

A handwritten signature in black ink that reads "Brian Gibbons". The signature is written in a cursive style with a horizontal line underneath it.

Brian Gibbons

Attorney for Petitioner

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